

KILL GAME: THE PATH OF DESTRUCTION FROM THE AMERITHRAX INVESTIGATION

"Have you no sense of decency, ... at long last? Have you left no sense of decency?" These prophetic words were spoken on June 9, 1954 by Joseph Welch, attorney for the United States Army, at the nadir of the shameful McCarthy hearings. It was a time of scurrilous persecution of all numbers and types of fellow humans, based mostly on sheer rumor, innuendo and manufactured evidence. The acts of a United States Government drenched in it's own fears, drunk of it's own hubris and looking for political scapegoats.

The result was an everlasting shame carried by a generation of Americans. To this day, the methods and tactics of the red baiting McCarthy investigators, and the hell they wrought on the ostracized and disadvantaged targets, not to mention the devastation to their families, is taught to our children as a seminal lesson of the dark, malignant growth that can consume the American ethos when fear, ambition, unitary power and political malevolence intersect unchecked and unbalanced in the halls of power in Washington DC. It is a tragic intersection that seeks a target of convenience and finds it.

And so we advance fifty years to find our dark history repeating itself in the Amerithrax case. Once again we find a unified and unchecked power in the government fueled by, and fueling, fear and trolling for a target of convenience to scapegoat. This is now incontrovertible.

Sunday's New York Times has an extended article, by William Broad and Scott Shane, on the hell that our Government hath wrought upon it's citizenry in the Amerithrax investigation. It is chilling.

But along the way, scores of [individuals] – terrorists, foreigners, academic researchers, biowarfare specialists and an elite group of Army scientists working behind high fences and barbed wire – drew the interest of the investigators. For some of them the cost was high: lost jobs, canceled visas, broken marriages, frayed friendships.

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The bureau began looking at biodefense insiders like Mr. Mikesell, an anthrax specialist who had worked in the 1980s and 1990s with Dr. Ivins at the Army Medical Research Institute of Infectious Diseases at Fort Detrick, in Frederick. He had then joined Battelle, a military contractor in Columbus, Ohio, that became deeply involved in secret federal research on biological weapons.

In 2002, Mr. Mikesell came under F.B.I. scrutiny, officials familiar with the case said. He began drinking heavily – a fifth of hard liquor a day toward the end, a family member said.

“It was a shock that all of a sudden he’s a raging alcoholic,” recalled the relative, who spoke on the condition of anonymity because of family sensitivities.

By late October 2002, Mr. Mikesell, 54, was dead, his short obituary in The Columbus Dispatch making no mention of his work with anthrax or the investigation.

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Another casualty was Kenneth M. Berry, an emergency room physician with a strong interest in bioterrorism threats. In August 2004, agents raided his colonial-style home and his former apartment in Wellsville, a village in western New York, as well as his

parents' beach house on the Jersey Shore.

In scenes replayed for days on local television stations, the authorities cordoned off streets as agents in protective suits emerged from the dwellings with computers and bags of papers, mail and books.

"He was devastated," Dr. Berry's lawyer at the time, Clifford E. Lazzaro, said in an interview. "They destroyed his marriage and destroyed him professionally for a time."

The government has unequivocally admitted that it wrongfully targeted an individual, Steven Hatfill, for a period of six years with little to no basis in fact or evidence to do so. The result of that "most complex criminal case in bureau [FBI] history", and dedicated certainty by the Bush Department of Justice for six years, has been a lawsuit brought by Hatfill, a settlement with Hatfill, humiliation of the DOJ and, finally, a complete exoneration of Hatfill.

It is pretty clear that Hatfill would, in spite of all the evidence, still be the target of this persecution had he not fought back doggedly with every ounce of his being. The government relentlessly tried to get his civil case dismissed and to hide the ball. As with another infamous case of Bush Administration subterfuge, if not for the honesty and spine for justice on the part of Judge Reggie Walton, Hatfill would still be impaled on the tip of the government's spear. But Hatfill was an unwilling dupe, and once he was lost as the solution the government claimed, and Congress and victims were rightfully wondering what exactly the government had accomplished, another sacrificial lamb was needed; this time a more unstable one and more susceptible to allegation. And this is true whether Ivins is guilty or not; either way, he is the new object on the government's spear.

To the everlasting shame of the United States Government, Bruce Ivins is dead; maybe from his own devices, and maybe not. Either way, however, Ivins is dead as a result of a sick game being run on him by the government in the conduct of the Amerithrax investigation, and his death is the direct result of their malevolence. The government says it has been focused on Ivins since 2006. Notably, during almost the entire time period since then, the government publicly maintained it's now admittedly baseless position that Hatfill was responsible. When the gig was finally up on Hatfill, here is what the government did to Ivins, and as in the red-baiting persecutions of half a century ago, his family:

In the current case, Ivins complained privately that FBI agents had offered his son, Andy, \$2.5 million, plus "the sports car of his choice" late last year if he would turn over evidence implicating his father in the anthrax attacks, according to a former U.S. scientist who described himself as a friend of Ivins.

Ivins also said the FBI confronted Ivins' daughter, Amanda, with photographs of victims of the anthrax attacks and told her, "This is what your father did," according to the scientist, who spoke only on condition of anonymity because their conversation was confidential.

The scientist said Ivins was angered by the FBI's alleged actions, which he said included following [and allegedly confronting] Ivins' family on shopping trips.

Guilty or innocent, the government drove Ivins, a man they knew and considered mentally unstable, to suicide.

Dr. Byrne, who did not know of Dr.

Ivins's history of deep psychological problems that was disclosed by federal officials last week, said he could see signs of the growing stress Dr. Ivins was under as the investigation seemed to focus on him. One day, in March 2008, he showed up for a Sunday church service with a black eye.

"The F.B.I. been roughing you up?" Dr. Byrne recalled joking.

Last month, Dr. Ivins told an Army colleague that his experience of F.B.I. pressure was similar to what Mr. Mikesell went through.

"Perry drank himself to death," the colleague recalled Dr. Ivins as saying some two weeks before he killed himself.

That is at best; assuming Mr. Ivins really did commit suicide. Since the government conveniently refused to perform a full autopsy, we will never know the myriad of clues and evidence on whether it really was a suicide. Having hounded and stalked Mr. Ivins to death, by whatever the means, the government seized the immediate, and I mean immediate, opportunity to dump the entire culpability for it's entire pathetic Amerithrax investigation on him. How convenient.

We have spent the last week taking the government's "rock solid" case apart at the seams. The dissection has been remarkably effective. That does not necessarily mean that Bruce Ivins did not commit, or participate in the commission, of the Amerithrax crimes, but it sure does mean that the government's case is so full of holes that Swiss cheese looks like the Rock of Gibraltar in comparison. With each passing day, the case falls further apart. (See: here, here, here, here, here, here, here, here, here, here, and here.) It is already getting perilously close to the level of strength (read: weakness) of the case against Steven Hatfill,

for which, again, millions of dollars and a complete exoneration were just handed out. The malicious actions of the United States government, as administered by Bush and Cheney, has turned this investigation, as they have so much else, into a craven and deadly game. A game in which some very well known actors, a lot higher up in the government than Bruce Ivins, have a far greater motive.

The Ivins family, and the public as a whole, deserve answers to the questions of how and why Bruce Ivins is dead and the investigation a septic dishonest mess. The Ivins family should follow the lead of Mr. Hatfill, for both themselves and the country, and demand the answers in a court of law. Thanks to the hideous actions of Nancy Grace, there is precedence for this very action for wrongful death, even from alleged suicide, of a suspect in a crime.

There are people with far better motive, and a lot better opportunity, for the commission of the Amerithrax crime. Instead of a competent and honest investigation, we have been spoon fed a disingenuous game by the Administration that has torn the lives and families of numerous innocent people apart. Some are dead as a direct result. Now we are told the game is over, in the face of all credulity. I wonder why that is. Has the United States government no sense of decency? Let's hope the Ivins family, Congress, and a competent special prosecutor will help us all find out at long last.